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Arizona Corporation Commission
c/o: Docket Control
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Phoenix, Arizona 85007

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AZ CORP COMMISSION
DOCKET CONTROL

In The Matter Of The Complaint Of: Steve Prahin - Docket # W-03514A-07-0386
Rebecca Sigeti - Doc. # W-03514A-08-0047

Vs.

Payson Water Co. / B.U.I.

Arizona Corporation Commission
DOCKETED

Re; Non Action of the Procedural Order

JUN 04 2008

Dear Commissioners and Judge Nodes,

DOCKETED BY	WF
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I am writing to all of you at this time, because of the lack of communication and action that the ACC and BUI seem to be negligent of.

It has been eleven months since I wrote you my letter asking to intervene on Steve Prahin's docket # W-03514A-07-0386, back on Aug. 1, 2007 and not one letter, email or phone call back about that request. And it has been twelve months since Mr. Prahin opened this docket and now nearly eight months since he has attended the procedural conference with you back on Oct. 16, 2007 regarding his formal complaint. At that conference, he agreed to try to put together a community meeting at the request of Judge Nodes. After Mr. Prahin, Mrs. Sigeti and I went out of our way with our combined time, resources and money (this seems to be the ongoing theme for the customers, when dealing with BUI in any of the communities that they serve) to notify and gather the community for a meeting, which we did. Keep in mind, the great majority of the owners live out of town or out of state.

At this community meeting, on Nov. 10, 2007 (which later on BUI took credit for holding!) the three of us told the group where we stood, we had Mr. Harry Jones and Ms. Myndi Borgdon speak and finished with a Q&A session. Mr. Brad Morton from Staff was in attendance recording the meeting too. At the closing of this meeting, BUI told us all that "they would follow up" with our complaints & suggestions, and get back to us. To this date, there has been not one phone call, letter or email to anyone involved with holding this meeting from either BUI or the ACC. Although, it seems to us that BUI uses selective and discriminatory notification practices, as they had only notified some of the community about OUR meeting that was to be held.

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During this time, Becky Sigeti has opened a docket of her own, as she was not getting any satisfaction on becoming an intervener on this matter either. I have to wonder if I and the other 13 property owners (that have already signed our complaint letter as to the lack of service and ACC not making BUI fulfill their CC&N's of the system) must open our own dockets about this matter. After the ACC now consolidated the Prahin with the Sigeti complaints, I again request to be added to the dockets as an intervener.

We are still waiting for Mr. Steve Olea's own recommendation (in the July 23, 2007 email in my ACC file), as to the solution to this decade's old problem! Which is, in case you have forgotten, is a minimum 50,000 gallon storage tank along with a deeper Geronimo well by the summer of 2008. As I have stated twice in court, it should be as simple as just storing the water whenever it is available.

After all of the efforts that all of the concerned community members have put into this problem, it is apparent to us that everything that the ACC asks of us, we do, and all it seems to do is become another smokescreen for BUI and buys them untold months and years of passive/aggressive delays to fixing the system and serve their customers, the voting constituents of the ACC. With our 252 lots, the 4500+ land owners of Pine/Strawberry and the other BUI systems within the "Rim Country" (who are all getting the same terrible service with BUI and the ACC) which could be upwards of 10,000 voters not being served by our elected representatives. It is also very disheartening to see BUI still goes unpunished about their perjury on the matter of their stated and reported storage capacity. If they can get away with something as overt has a tank the size of a small garage, for such a long time, how can anyone take their word for any readings of the system, well head depth, gallons per minute, etc., or anything else that they report to Staff?

I would like to quote from the transcript of the Oct. 16th 2007, procedural order where on page 13, line 15; the Honorable Judge Nodes said "I will not let this {EA/GE water problem} languish". With that being said, I have to ask, why has it been well over half a year without any communication or notification about this ONGOING problem, and without a definitive solution in sight? I have even been in contact with our state representative in Gila County, Rep. Bill Konopnicki to try and help us out, and still to no avail.

At this point, I am still requesting that the ACC impose a quarterly test/inspection of the two water systems in question. These tests/inspections should be attended by a Staff engineer, BUI rep., A.D.E.Q. rep., an independent well operator/technician and the community rep. At the May 23rd 2008 meeting that I attended on the Geronimo well site with Mr. Scott, Mr. Prahin, Mr. & Mrs. Sigeti, Ms. Borgdon and a BUI technician, Mindy said that BUI was thinking about installing a used 10,000 gallon tank on the site. This is nothing but a joke and another way that BUI will get away with doing something and accomplishing nothing, besides wasting space on the lot! On my own property, I have a 3200 gallon cistern tank that cost me less than \$1200, which is 1/3 of the proposed BUI storage solution for the

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existing 88 meter sets. With the guidelines that Mr. Boroski followed when building his Elusive Acres system, he had to have a minimum of 450 gallons of storage for each lot. At this rate, BUI would have to have a minimum of 34,650 gallons of storage just to supply the 77 meters outside the 11 E/A customers. And that is without any consideration for waiting customers and future expansion to the community.

In closing, we once again are seeking the same relief as before, a minimum 50,000 gallon storage tank, a deeper and functioning well on the GE site and the required A.D.E.Q. monitoring system between the two operating well systems, before the end of the summer of 2008. Also, a quarterly inspection of the wells with a Staff member (Mr. Scott), a BUI rep, an independent well operator and community rep. Their report to be available to anyone who wants to see it, either on line or in person.

I would expect a response to this letter within the customary ten working days from the date of receipt.

Respectfully Submitted,



Jim Dunne

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